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H.336

Introduced by Representative Stevens of Waterbury

Referred to Committee on

Date:

Subject: Commerce and trade; residential rental agreements; minimum
habitability standards

Statement of purpose of bill as introduced: This bill proposes to establish
minimum habitability standards for rental housing.

An act relating to rental housing

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. chapter 137, §§ 4451–4469a are designated as:

Subchapter 1. Rental Agreements

Sec. 2. 9 V.S.A. chapter 137, subchapter 2 is added to read:

Subchapter 2. Minimum Habitability Standards

§ 4469b. RENTAL HOUSING; MINIMUM HABITABILITY

STANDARDS; GENERAL PROVISIONS

(a) The purpose of these standards is to protect the health, safety, and
well-being of the occupants of rental housing by establishing minimum
habitability standards for all residential rental housing in Vermont.

1 (b) Each rental property in the State must comply with all applicable
2 housing laws and codes, including the laws relating to lead poisoning in
3 18 V.S.A. §§ 1759–1760, the rental housing health code adopted by the
4 Department of Health, the Vermont Fire and Building Safety Code adopted by
5 the Department of Public Safety, and regulations regarding potable water and
6 septic systems adopted by the Agency of Natural Resources.

7 (c) For purposes of this subchapter, “dwelling unit” includes all rental
8 dwelling units, rooming houses, rooming units, and mobile home
9 lots used as regular residences.

10 (d) The minimum habitability standards described in this subchapter apply
11 to all dwelling units in the State. The standards do not apply to transient
12 occupancy in a hotel, motel, or other lodging licensed by the Department of
13 Health during the time the occupancy is subject to a tax levied under 32 V.S.A.
14 chapter 225.

15 § 4469c. SANITATION FACILITIES

16 (a) Every dwelling unit shall:

17 (1) contain within the unit space to store, prepare, and serve foods in a
18 sanitary manner;

19 (2) contain within the unit a flush toilet, sink, and bathtub or shower;

1 (3) be connected to, and every rental mobile home lot shall have access
2 to, a supply of potable water sufficient in quantity and pressure to meet the
3 ordinary needs of the occupants;

4 (4) be equipped so that each kitchen sink, lavatory sink, shower, and
5 bathtub is connected with water-heating facilities capable of safely heating an
6 adequate yield of water; and

7 (5) be connected to, and every rented mobile home lot shall have access
8 to, a public sewage system, if available, or to a properly operating subsurface
9 wastewater disposal system.

10 (b) The owner of any dwelling unit shall provide and maintain appropriate
11 receptacles for the removal of garbage and rubbish and shall ensure that
12 arrangements are made for the removal of garbage and rubbish.

13 (c) The owner of a dwelling unit shall ensure that all common spaces are
14 free from rodent and insect infestation and shall be responsible for the
15 extermination of rodent and insect infestation in all common spaces and in
16 each infested dwelling unit if infestation exists in two or more dwelling units.

17 § 4469d. BUILDING SYSTEMS

18 (a) Heating facilities in all dwelling units shall be able to maintain a room
19 temperature of at least 65 degrees Fahrenheit in all habitable rooms when the
20 outside temperature is less than 55 degrees Fahrenheit.

1 (b) Every habitable room in a dwelling unit shall have ventilation to the
2 outdoors, including at least one window or door that can be opened to the
3 outdoors without tools, and every bathroom shall have ventilation to the
4 outdoors.

5 (c) Every habitable room in a dwelling unit shall contain at least two
6 duplex electrical outlets or one duplex electrical outlet and a light fixture, and
7 each bathroom and entrance shall be adequately lit.

8 § 4469e. STRUCTURAL ELEMENTS

9 Every dwelling unit shall be weather-tight, waterproof, rodent-proof, and in
10 good repair.

11 § 4469f. LEAD PAINT

12 (a) Owners of rental housing built before 1978 shall ensure that essential
13 maintenance practices (EMP) are performed by a person certified to do so,
14 shall file an EMP compliance statement annually with the Department of
15 Health, the owner's insurance carrier, and an adult tenant in each rented unit of
16 the property, and shall comply with the provisions of 18 V.S.A. chapter 38.

17 (b) No person shall disturb more than one square foot of lead paint using
18 unsafe work practices, as defined in 18 V.S.A. § 1760, in any rental housing
19 unit unless authorized to do so by the Department of Health.

1 § 4469g. LIFE SAFETY

2 (a) Every dwelling unit shall have smoke alarms which shall be directly
3 wired to the unit's electrical system, and the smoke alarms shall have battery
4 backup. Smoke alarms installed after June 15, 2009 shall be the
5 photoelectric type.

6 (b) Every dwelling unit shall have carbon monoxide alarms which shall be
7 directly wired to the unit's electrical system, and the carbon monoxide alarms
8 shall have battery backup.

9 (c) The exits and means of escape from a dwelling unit or building shall be
10 of sufficient size to allow escape and shall be kept clear and unobstructed.

11 (d) All fuel-burning heating appliances shall be inspected and vented to the
12 outside of the building.

13 § 4469h. MOBILE HOMES ON A RENTED LOT

14 Every mobile home lot shall provide a connection to electrical services,
15 water supply, and sewage disposal.

16 § 4469i. MUNICIPAL ORDINANCES; ENFORCEMENT

17 (a) Nothing in this subchapter shall prevent a municipality from adopting
18 habitability standards for rental housing that are more stringent than the
19 requirements of this subchapter.

